UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
HANNE, SARA M

ART UNIT	PAPER NUMBER
2179	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/976,186	ANDREW, FELIX G.T.I.
	Examiner	**Art Unit**
	Sara M Hanne	2179

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 November 2004*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
        application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the amendment received on November 11, 2004.

Amended Claims 1, 6, 11 and 14 and claims 2-5, 7-10, 12-13 and 15-24 are pending in

the application.

Claim Rejections - 35 USC § 101

2.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

3.   Claims 13 and 24 are rejected under 35 U.S.C. 101 because

the claimed invention is directed to non-statutory subject matter. The "computer-

readable medium" as stated in these claims is defined by the specification as a

modulated signal or carrier wave (page 8, line 21) which is incapable of being touched

or perceived absent the tangible medium through which they are conveyed. It is

recommended that the claims be amended to exclude the limitation "computer-readable

medium".

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed
> publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5.   Claims 1-7 and 9-24 are rejected under 35 U.S.C. 102(a) as being anticipated by

Sigl, US Patent 6714220.

As in Claim 1, Sigl teaches a system to provide user input using a plurality of

software input methods (subset panels) independent of the application program

(numeric keypads are common to many applications), each with a panel configured to

receive the user input based on user interaction (Figure 2, Ref. 3.2) therewith and a

software input method manager independent of the application program (Col. 2, lines

58-61 and Col. 6, lines 15 et seq.) configured to select one of the input methods based

on the state of the application program (field selected) to enable the user to interact with

that input method to the application program (Figure 3, Ref. 3.5 and 3.6).

As in Claim 2, Sigl teaches the application program to communicate the state to

the SIP method manager (Column 3, lines 1-9).

As in Claim 3, Sigl teaches a component external to the application program to

determine the state of the application program and communicates the state to the SIP

method manager (Column 6, line 51 et seq.).

As in Claim 4, Sigl teaches the application program state corresponding to the

field having input focus (Column 2, lines 42-44).

As in Claim 5, Sigl teaches the application program communicating data

corresponding to the field to the SIP method manager where the SIP method manager

selects the input method based on the data (Figure 3, Ref. 3.3).

As in Claim 6, Sigl teaches the state of the application program corresponds to a field having input focus (Col. 4, line 30) and where the SIP method manager selects the input method based on the data corresponding to the field (Figure 3, Ref. 3.3).

As in Claim 7, Sigl teaches the application program communicating key related data to the SIP method manager which configures some keys of the input panel are based on the key related data (Figure 3, Ref. 3.4 and 3.5).

As in Claim 9, Sigl teaches the key-related data to include a string corresponding to a meaning of a variable key (the specified key is a string).

As in Claim 10, Sigl teaches a database of previous use input information, such that the software input method configures some keys on the input panel based on the previous user input information (previous use for the selected field).

As in Claim 11, Sigl teaches a computer implemented method for receiving application program state data at a software input method manager (Figure 3, Ref. 3.2), the software input method manager independent of the application program (Col. 2, lines 58-61 and Col. 6, lines 15 et seq.), selecting an input method from the software input methods (Figure 3, Ref. 3.3), each software input method independent of the application program (numeric keypads are common to many applications), and having an input panel configured to receive user input based on user interaction (Figure 3, Ref. 3.5 and 3.6), and returning key data to the application program corresponding to user interaction with the input panel (Figure 3, Ref. 3.8), the input panel having a displayed key that when actuated returns a string of at least two characters to the application program (the ok button returns the string in Ref. 2.3 of Figure 2).

As in Claim 12, Sigl teaches receiving key configuration data in relation to the selected input method and configuring a keys on the input panel are based on the key configuration data (See Claim 7 rejection *supra*).

As in Claim 13, Sigl teaches a computer-readable medium having computer-executable instructions (Column 3, lines 1-9).

As in Claim 14, Sigl teaches a computer implemented method for receiving application program state data at a software input method manager that is independent of the application program corresponding to the application program state data (Col. 2, lines 58-61 and Col. 6, lines 15 et seq.), selecting an input panel based on the application program state data, the input panel independent of the application program, displaying keys on the input panel to enable user interaction with the input panel, and returning key data to the application program corresponding to user interaction with the input panel (See Claim 11 rejection *supra*)

As in Claim 15, Sigl teaches receiving data corresponding to a communication from the application program (See Claim 2 rejection *supra*).

As in Claim 16, Sigl teaches receiving data corresponding to a communication component external to the application program (See Claim 3 rejection *supra*).

As in Claim 17, Sigl teaches the selecting an input panel to comprise loading an input method (Figure 3, Ref. 3.4 and 3.5).

As in Claim 18, Sigl teaches the selecting an input panel to comprise notifying a loaded input method (popup window 2.1).

As in Claim 19, Sigl teaches receiving key configuration information corresponding to the state, and configuring keys on the input panel are based on the key configuration data (See Claim 7 rejection *supra*).

As in Claim 20, Sigl teaches receiving key configuration information comprising receiving data corresponding to a communication from the application program (See Claim 2 rejection *supra*).

As in Claim 21, Sigl teaches configuration information comprising receiving data corresponding to a communication from a component external to the application program (See Claim 3 rejection *supra*).

As in Claim 22, Sigl teaches receiving data corresponding to a communication from a database (the stored keys are a database).

As in Claim 23, Sigl teaches returning a string of at least two characters in response to a single displayed key being actuated (the ok button returns the string in Ref. 2.3 of Figure 2).

As in Claim 24, Sigl teaches a computer-readable medium having computer-executable instructions (See Claim 13 rejection *supra*).

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.   Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sigl, US

Patent 6714220, and further in view of Cobbley et al. US Patent Application Publication

2002/0085038. Sigl teach the method of Claims 1-7 as seen *supra*. While Sigl teach

the sending of key related data, they fail to show the use of XML format used to

communicate the key-related data to the software input method as recited in the claims.

Cobbley et al. teaches a keyboard similar to that of Sigl. In addition, Cobbley et al.

further teaches using of XML format to communicate key related data ("text entry blocks

may use particular coding such as hypertext markup language (HTML) coding or other

languages including extensible mark up language (XML)", Paragraph 15). It would have

been obvious to one of ordinary skill in the art, having the teachings of Sigl and Cobbley

et al. before him at the time the invention was made, to modify the key-related data

communication taught by Sigl to include the usage of the XML format of Cobbley et al.,

in order to obtain the transmitting of key-related data using XML format. One would

have been motivated to make such a combination because a Internet capable input

system would have been obtained, as taught by Cobbley et al.

Response to Arguments

Applicant's arguments, filed 11/11/2004, have been fully considered but they are not persuasive. The software input method manager taught by Sigl is independent of the application program. Sigl states "instructions further enabling the computer to display a subset of virtual keys that are dynamically created", Col. 2, lines 58-60). The instructions are held in memory (Figure 4, ref. 4.12) separate from the application program for plant operations and dynamic interact with the application program according to user inputs. Furthermore, as is described in Col. 5, lines 25-50, the computer system is the entity that processes the input and decides upon which method to use to enable user interaction with the application program. The input method manager is independent from the application program in that it is separate instructions that are dynamically accessed when needed and are processed according to certain parameters input by the user indicating the state of the application program as is claimed in Claim 1 of the application pending. The virtual keyboard is part of the operating system as shown in the Sigl, external from the application program and represented in the interface shown in the figures.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "provide input to any possible application program", page 11 of the remarks) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In response to applicant's argument that the references fail to show "a component external to the application program that determines the state of the application and communicates the state to the software input method manager", page 12 of the remarks, the examiner disagrees. The operating system responds to action by the user in accordance with the current display state of the application program (Col. 5, lines 25-50). Also see Claim 1 of Sigl reads "set of parameters are capable of controlling an external application", (Col. 6, lines 15 et seq.).

In response to applicant's argument that the references fail to show "a database that allows a software input method (that is independent of the application program itself) to configure at least some keys on an input panel", page 13 of the remarks, the examiner disagrees. The user sets limit values in the interface of Figure 1 that are stored in database memory (Figure 4). These values are used to dynamically configure which keys will be presenting on the input panel.

Conclusion

8.   The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach choosing an input device according to application program information and configuring keys based on prediction methods and such.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sara M Hanne whose telephone number is (571) 272-4135. The examiner can normally be reached on M-F 7:30am-4:00pm, off on alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

smh

BA HUYNH
PRIMARY EXAMINER